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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Case No. 4:25-cv-04966-HSG

**STIPULATION AND [PROPOSED]
ORDER FOR ABEYANCE OF UNITED
STATES' DEADLINE TO RESPOND TO
PLAINTIFFS' NOTICE OF PENDENCY
OF OTHER ACTIONS**

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, the parties submit this Stipulated Request for an abeyance of the United States’ deadline to respond to Plaintiffs’ Notice of Pendency of Other Actions and respectfully request that the Court enter an order accordingly.

1. On September 26, 2025, Plaintiffs the State of California, et al. (hereinafter “Plaintiff States”) filed a Notice of Pendency of Other Actions pursuant to Local Rule 3-13. Dkt. No. 142.

2. Under Local Rule 3-13(c), any response by Defendants the United States of America, et al. is due October 10, 2025.

3. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The Department does not know when such funding will be restored by Congress.

4. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

5. Undersigned counsel for the Department of Justice therefore requires a stay of the response deadline until Congress has restored appropriations to the Department.

6. The parties request that the Court enter this stipulation, under which undersigned counsel for the United States will notify the Court as soon as Congress has appropriated funds for the Department. At that point, the current deadline for the United States’ response to Plaintiff States’ Notice of Pendency of Other Actions (Dkt. No. 142) will be extended commensurate with the duration of the lapse in appropriations – i.e., the deadline is extended by the total number of days of the lapse in appropriations.

1 Dated: October 3, 2025

Respectfully submitted,

2 /s/ Martha C. Mann

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In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests that each signatory has concurred in the filing of this document.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, it is so ordered. The United States' response to Plaintiff States' Notice of Pendency of Other Actions shall be filed according to the Parties' stipulation.

Dated: _____, 2025

THE HONORABLE HAYWOOD S. GILLIAM, JR.
United States District Judge